

Notice of Allowability

Application No.

09/482,725

Examiner

CUONG H. NGUYEN

Applicant(s)

PEINADO ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on 3/13/06.
2. ☒ The allowed claim(s) is/are 280-281, 283-291, 293-299; they are renumbered as claims 1-18; formal drawings were accepted.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

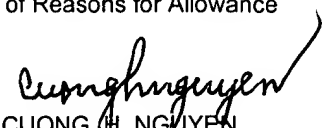
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


CUONG H. NGUYEN
Primary Examiner
Art Unit: 3661

DETAILED ACTION

1. This Office Action is the answer to the RCE received on 3/13/2006.
2. Claims 280-281, 283-291, and 293-299 are pending.

Priority

3. This application claims a priority date of 3/27/1999.

Drawing

4. This application is filed with 12 sheets of formal drawings on 3/31/2003, and they are accepted by the examiner.

Allowable Subject Matter & Reasons for Allowance

5. Independent claims 280, and 290 are patentable over the closest references of Downs et al. (US Pat. 6,226,618), and Kupka et al. (US Pat. 6,434,535), because these prior art do not anticipate nor disclose a method for a server to provide to a client computer a digital license of one or more rights to render digital content, the digital content encrypted with a decryption key, besides other limitations, comprising a step of:
 - receiving, from the client computer, a license request, the license request containing a key identifier that identifies the decryption key and a client certificate associated with the client computer, the client certificate including a public key associated with the client computer; then responsive to the request, generating a license response including a digital rights license, the decryption key identified by the key identifier, and applying the key identifier as an input to an algorithm by which the decryption key is produced.

Downs et al. teach a method with a step of using a Key Identifier to indicate the public encryption key (see Downs et al., Detailed Decryption Text (146)) not

Serial Number: 09/482,725
Art Unit 3661

using to identify a decryption key as in pending claims 280, and 290, therefore, this procedure is non-obvious from Peinado's claimed step.

Kupka et al. teach about a system for pre-payment of electronic content using removable media and for prevention of unauthorized copying said electronic content; only disclosing a key identifier that identifies a decryption key; NOT to identify a client certificate as claimed "receiving, from the client computer, a license request, the license request containing a key identifier that identifies the decryption key and a client certificate with the client computer, the client certificate including a public key associated with the client computer".

6. Claims 281, 283-289, and 291, 293-299 are allowed because they are dependent on claims 280, and 290.

Conclusion

7. Pending claims are patentable.

Claims 280, 281, 283-291, and 293-298 are renumbered as claims 1, 2, 3-11, and 13-18.

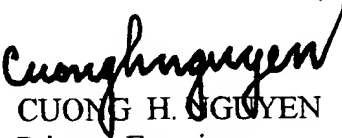
Claim 299 is renumbered as claim 12.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 17:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956. Information regarding the status of an application may be obtained from the Patent

Serial Number: 09/482,725
Art Unit 3661

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661